

# **EXHIBIT A**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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IN RE: BARD IVC FILTERS : No. MD-15-02641-PHX-DGC  
PRODUCTS LIABILITY LITIGATION :  
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— — —  
OCTOBER 11, 2016  
— — —

DO NOT DISCLOSE - SUBJECT TO FURTHER  
CONFIDENTIALITY REVIEW

Videotaped deposition of CHRISTOPHER  
D. GANSER, held at HILTON SHORT HILLS,  
41 John F. Kennedy Parkway, Short Hills, New  
Jersey, commencing at 9:32 a.m., before  
Margaret M. Reihl, a Registered Professional  
Reporter, Certified Realtime Reporter, and  
Notary Public.

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1 Q. Have you ever read it?

2 A. No.

3 Q. Do you know you're featured throughout  
4 the report?

5 MS. DALY: Object to the form.

6 BY MR. LOPEZ:

7 Q. No, I mean your name is in the report.  
8 Wouldn't you want to see what Dr. Kessler, a  
9 plaintiff's expert said about, you know, some of the  
10 documents that you may have created or weighed in on?

11 MS. DALY: Object to the form.

12 THE WITNESS: I'm sure I will be  
13 presented with certain documents from that  
14 report with my name on it.

15 BY MR. LOPEZ:

16 Q. Okay. And you haven't seen any part of  
17 the report?

18 A. I have not seen any part of the report.

19 Q. Sir, do you agree that when a device is  
20 cleared to be marketed through the 510(k) process that  
21 this does not reflect a determination by the FDA that  
22 the device is safe and effective?

23 A. Yes.

24 Q. That a determination of substantial

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1 equivalence is not equivalent to an approval by the FDA  
2 of the device's safety and effectiveness; you agree  
3 with that?

4 A. Could you repeat the question.

5 Q. Do you agree that a determination of  
6 substantial equivalence is not equivalent to an  
7 approval by the FDA of the device's safety and  
8 effectiveness?

9 A. Yes.

10 Q. And would you also agree that  
11 substantial equivalence determination does not in any  
12 way denote official approval of the device and that any  
13 representation conveying an impression of official  
14 approval is misleading and constitutes misbranding?

15 MS. DALY: Object to the form, lack of  
16 foundation.

17 THE WITNESS: I would agree.

18 BY MR. LOPEZ:

19 Q. Okay. The next document, we talked  
20 about guidance documents and how part of your job was  
21 to be familiar with certain guidance documents as they  
22 related to devices.

23 Do you recall that?

24 A. Yes.